

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

**IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:

All Cases

MDL 2804

Case No. 17-md-2804

Hon. Dan Aaron Polster

Order Regarding Non-Litigating Defendants

In April 2022, this Court noted that the major Manufacturer Defendants (J&J, Purdue, Mallinckrodt, Teva, Allergan, and Endo) had all either reached a global settlement, declared bankruptcy, engaged in bellwether litigation, or settled numerous individual cases; and the three largest Distributor Defendants (Cardinal, AmerisourceBergen, and McKesson) had each reached global settlements. *See Order* at 1 (docket no. 4380). Several Pharmacy Defendants (Albertsons, CVS, Giant Eagle, Kroger, Meijer, Publix, Rite Aid, Walgreens, and Walmart) have also been engaged in bellwether litigation. Accordingly, the Court “turn[ed] its attention to some of the remaining Manufacturers and Distributors named in MDL cases” that have not yet engaged in MDL litigation. *Id.*

The Court now continues this approach as follows. To facilitate the efficient adjudication and resolution of MDL cases against other defendants, the Court orders each Defendant Family¹

¹ By “Defendant Families,” the Court means all entities that are related. For example, “Ahold Delhaize” includes “family member” defendants Ahold Delhaize USA, Inc.; Ahold U.S.A., Inc.; Food Lion, LLC; Koninklijke Ahold Dehaize N.V.; and any other related defendants.

listed at the end of this Order to file, by November 1, 2022, a status report listing every case *in federal or state court* that states claims against it involving the manufacturing, marketing, sale, distribution or dispensing of opioids. The status report should list information for each case using the following format:

#	<i>Case Caption</i>	<i>Court, Case No.</i>	<i>Plaintiff's Counsel</i>
1	Blue County, OH v. Purdue Pharma L.P. et al	N.D. Ohio, 1:19-op-12345	Chris Smith

This Order applies to the following Defendant Families:

Ahold Delhaize	Medtronic f/k/a Covidien
Alvogen Inc.	N.C. Mutual Wholesale Drug Co. (a/k/a Mutual Drug)
American Medical Distributors Inc.	Pfizer
Apotex, Inc.	Pharmacy Buying Association, Inc.
Associated Pharmacies Inc.	Physicians Total Care, Inc.
Auburn Pharmaceuticals	Prescription Supply Inc.
Blenheim Pharmacal Inc.	Richie Pharmacal Co.
Bloodworth Wholesale Drugs, Inc.	River City Pharma
Collegium Pharmaceutical, Inc.	Sun Pharmaceutical Industries
Costco	Supervalu Inc.
Dakota Drug, Inc.	Target Corporation
Darby Group Companies, Inc.	The North Carolina Mutual Wholesale Drug Co.
Ethex Corporation	Thrifty White
Eveready Wholesale Drugs Ltd.	Top Rx, LLC
GCP Pharma, LLC	Value Drug Company
Hy-Vee, Inc.	Winn-Dixie
Louisiana Wholesale Drug Co., Inc.	Zydus Pharmaceuticals (USA), Inc.
McQuery Bros. Drug Co., LLC	

Each Defendant Family listed above shall also submit to plaintiffs' liaison counsel Peter

H. Weinberger a separate status report, under Evid. Rule 408, setting forth: (1) the volume of

dosage units of opioid products manufactured or distributed or dispensed by the Defendant Family, by calendar year, between 2006-2018; and (2) where their opioid products were shipped or distributed to, by calendar year, between 2006-2018.

IT IS SO ORDERED.

/s/ Dan Aaron Polster
DAN AARON POLSTER
UNITED STATES DISTRICT JUDGE

Dated: October 7, 2022